

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

---

x

BRAD BARKAU, Individually and on :  
Behalf of All Others Similarly Situated, :  
Plaintiff, : No. 16-cv-02971 (RA)  
v. : (Oral Argument Requested)  
CALIFORNIA RESOURCES :  
CORPORATION, :  
Defendant. :  
x

---

**DEFENDANT'S NOTICE OF MOTION  
TO DISMISS THE CLASS ACTION COMPLAINT**

**PLEASE TAKE NOTICE** that upon the accompanying Declaration of Darrell S. Cafasso and exhibits thereto, and the Memorandum of Law in Support of Defendant California Resources Corporation's Motion Pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6) to Dismiss the Class Action Complaint, dated July 8, 2016, Defendant California Resources Corporation will move this Court before the Honorable Ronnie Abrams, United States District Judge, on a date and time to be determined by the Court, at the United States Courthouse located at 40 Foley Square, New York, NY 10007, Courtroom 1506, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, for an order dismissing with prejudice the putative class action complaint filed in this action on April 21, 2016 by Brad Barkau, and for such other and further relief as the Court deems just and proper.

Dated: New York, New York  
July 8, 2016

/S/ Theodore Edelman

Theodore Edelman  
Darrell S. Cafasso  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, New York 10004  
Telephone: 212-558-4000  
Facsimile: 212-291-9307

*Counsel for Defendant  
California Resources Corporation*